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THE MORALITY OF NUCLEAR WARFARE

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THE MORALITY OF NUCLEAR WARFARE

Student Thesis

by

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Carlisle Barracks, Pennsylvania
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SUMMARY

In considering the morality of nuclear warfare, it became apparent in this age of threatening massive retaliation and mass destruction that the challenge to both moralists and statesmen is to make the traditional Christian teaching on war relevant to the problem of nuclear warfare with which we are confronted today. No single issue approach can solve the problems of conscience which modern war raises. Pacificism and bellicism are the pernicious extremes to which we may be tempted. It is from these that a new analysis of moral doctrine must free us.

Historically, we find that a traditional concept of a just war has been formulated and promulgated by theologians and moralists who were experts in the field of social and international ethics. The broad, moral principles embodied in this code, particularly the principle of moderation in the conduct of hostilities, are in accord with right reason and the conscience of nations. In addition, this codified concept of a just war is supported and strengthened by declarations of the various international conventions which seem to have followed every major modern war.

Today, with the advent of atomic warfare, the problem is that the type of weapons are of such magnitude and destructive force as to be almost beyond human control. In order to justify atomic warfare according to the traditional Christian concept, a way has to be found through the problem of uncontrolled weapons by their discriminate and disciplined use. Precisely because it is indiscriminate and undisciplined and contrary to basic moral principles, total warfare is morally inadmissible. A limited atomic war in self-defense, however, is morally admissible when it is absolutely necessary under the conditions set forth in the Christian code and when moderation characterizes the conducting of hostilities.

At the root of the problem of the morality of nuclear warfare is the conflict in man's nature between morality and expediency. Expediency has ruptured the Christian tradition of civilized warfare and has led mankind to the doctrine of total warfare. Only along the path of moral choice will men find their way to security.

1. The first part of the paper is devoted to a general discussion of the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters α and β . It is shown that the system (1) has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. This condition is also necessary for the existence of solutions of the system (1) for arbitrary values of the parameters α and β .

2. In the second part of the paper, the problem of the existence of solutions of the system (1) for arbitrary values of the parameters α and β is solved. It is shown that the system (1) has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. This condition is also necessary for the existence of solutions of the system (1) for arbitrary values of the parameters α and β .

3. In the third part of the paper, the problem of the existence of solutions of the system (1) for arbitrary values of the parameters α and β is solved. It is shown that the system (1) has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. This condition is also necessary for the existence of solutions of the system (1) for arbitrary values of the parameters α and β .

4. In the fourth part of the paper, the problem of the existence of solutions of the system (1) for arbitrary values of the parameters α and β is solved. It is shown that the system (1) has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. This condition is also necessary for the existence of solutions of the system (1) for arbitrary values of the parameters α and β .

5. In the fifth part of the paper, the problem of the existence of solutions of the system (1) for arbitrary values of the parameters α and β is solved. It is shown that the system (1) has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. This condition is also necessary for the existence of solutions of the system (1) for arbitrary values of the parameters α and β .

6. In the sixth part of the paper, the problem of the existence of solutions of the system (1) for arbitrary values of the parameters α and β is solved. It is shown that the system (1) has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. This condition is also necessary for the existence of solutions of the system (1) for arbitrary values of the parameters α and β .

7. In the seventh part of the paper, the problem of the existence of solutions of the system (1) for arbitrary values of the parameters α and β is solved. It is shown that the system (1) has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. This condition is also necessary for the existence of solutions of the system (1) for arbitrary values of the parameters α and β .

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INTRODUCTION

If war comes in our day, it may well be a total war. Total war has been defined in different ways by statesmen and experts in the art of war. The "totality" of war is generally understood, however, in a threefold sense. In the first sense, it applies to persons by whom and against whom warlike action is exercised. Secondly, it applies to the means which are employed in war. And lastly, it applies to the places where warlike action takes place. The term "warlike action" is here taken in the broadest sense, including not only military action but also every other manifestation of hostility; for example, an economic blockade or a war of nerves. Experience of modern war proves that military action, though it is the one that hits the hardest, is not necessarily the decisive element in great conflicts between nations. If total war is defended as a war which is fought without regard to any limitations affecting persons, or means of warfare, or places, a theory is proposed in which it is not difficult to perceive moral contradictions leading to juridical contradictions.

If total war comes in our day, the basic moral question that needs to be answered is whether the use of kiloton and megaton weapons can be justified on moral grounds. In answer to this question, broadly speaking, there are three schools of thought representing three diverse points of view. First, there is the school of the pacifists. Those who take this point of view condemn outright the use of not only nuclear weapons but every kind of weapon. They stand firm against the

use of nuclear armaments as well as armaments of all kinds. In a nutshell, pacificism's main tenet is that war is always immoral. Secondly, there is the school of barbarism. It is diametrically opposed to the teaching of pacificism. It is purely and simply amoral. Barbarism maintains that the use of force of any kind is not subject to any moral restraints. Those who do not follow either of these opposing schools of thought base their position or conviction upon the Christian tradition that war is not, absolutely speaking, intrinsically evil. They maintain that war can be a moral action. In support of this position, advocates of the Christian tradition distinguish between a just and an unjust war clearly indicating that under certain conditions and circumstances a nation may defend itself as far as it is necessary by proportionate means.

At the same time, these advocates are deeply concerned with justice and peace. Consequently, they are greatly perplexed by the problems posed by the development of atomic and hydrogen weapons. They know that intelligent, moral leaders want to make use of the most effective weapons available within the prescribed limits imposed by moral law in defending not only their country but moral values as well. They know that one of the biggest problems plaguing moral theologians, statesmen, and military leaders today concerns especially the employment of multi-kiloton and megaton weapons. In view of these capabilities they ask: Is the employment of such weapons permitted by moral law? If so, for what reasons, and under what conditions? What

judgment shall be passed on mutual suicide among nations? Where do we stand vis-a-vis a nuclear showdown in which the whole earth may not only be contaminated with radioactive debris but also unborn generations marked with hereditary taints?

Followers of the Christian tradition know that all Christian moralists are intent on finding a solution that is compatible with the principles of the Gospel of Christ and the teaching of morality. They know that all moralists maintain that moderation should characterize the conducting of hostilities and should keep the demands of the victor within the limits of justice and charity. Regarding nuclear war, they ask such questions as: Do we have a case where the evil is implicitly intended or is it merely permitted? And if the latter, is there proportionate reason for permitting it, in view of the fact that it may involve such a staggering loss of innocent lives? They ask: Can it ever be right for a man or a nation (however apparently just the cause) to use nuclear weapons? Can distinction be made regarding the use to which any type of nuclear weapons may be used? If no crystal-clear "modus operandi" is indicated in the use of nuclear weapons, what is the statesman or military leader going to fall back on in resolving his conscience?

In the chapters which follow an attempt will be made to find answers to these and related questions as proposed by exponents of the Christian tradition. In treating the views of Christian moralists, the extremes of pacificism and bellicism will become patent. Answers

will not always be found that are clear-cut due to the divergence of opinion among moralists of the various Christian denominations and due to the complexity of the problem.

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CHAPTER 1

WAR IN GENERAL AND INTERNATIONAL CONVENTIONS

Section I. War in General.

For the purpose of this thesis, it may be considered that the Atomic Age was born in the 580-foot fireball which formed 1,500 feet above the bridge in the center of the city of Hiroshima, Japan, at 0815 hours on August 6, 1945. Hiroshima marked the first utilization of nuclear destruction as a deliberately employed weapon of war. The terror, destruction and suffering which this explosion caused made a terrific impact upon the mind and imagination of man. Vivid descriptions were presented by John Hersey in his best seller, Hiroshima.^a There can be no doubt that the science of waging war has progressed in an alarming fashion. With the atomic weapons now being produced, it is definitely possible to destroy a major portion of the human race. In fact, there are reasons to believe that an all-out hydrogen war could destroy the human race completely.

As a background for the succeeding chapters on the morality of atomic warfare, we must first consider the moral aspects of war in general, and the statements of international conventions which support these moral concepts.

In the past, many medieval theologians and moralists had discussed the subject of the morality of warfare. It is by no means a

^ag.

new question. When men used the cross bow, the Springfield rifle and the bazooka, the moral limitations of legitimate warfare were fairly clear and not so difficult to apply. But the threat of nuclear catastrophe, so dire as to destroy the last bulwarks of civilization, calls first for a new analysis of the centuries-old accepted principles of legitimate warfare. With each new advance in the techniques of inflicting mass death and destruction, it becomes increasingly difficult to justify war.

Before we proceed to the justifiability of modern nuclear war, we must first answer the question: Is war intrinsically and irredeemably evil in itself? Highlighting the importance of this fundamental question, Toynbee has this to say:

"This is the question which cannot be shirked by any student of history or by any member of our Western society in our generation when it is the crucial question on which the destiny of our civilization hangs. The time has come when we must grapple with it; but before we come to grips, we must make sure that we are taking account of all the difficulties."^a

Nations have long admitted the justification of war under certain conditions and circumstances which are recognized in both moral theology and international law. Later in this chapter we will state what these conditions are. The point is that from the very beginning the Christian effort has been to civilize modern war. In maintaining that war can be a moral action, it has been opposed to the extremist

^a23 p12.

views of barbarism and pacificism. A distinction, however, is made between a just and an unjust war clearly indicating that under certain conditions a nation may defend itself as far as it is necessary by proportionate means. This defense is based on the inherent right of self-defense.

"According to the scholastic conception, which is at once natural, rational, and of universal acceptance, to repel force with force is to apply a fundamental natural law; for it is according to right to repel force by force within the limits of blameless self-defense."^a

To defend oneself is one of the inalienable rights which men possess--it is "the right to life, liberty and the pursuit of happiness" with which we are endowed by our Creator. To deny this right would be to condone the reign of the thug and to undermine the principle of social and international order. Justice and right could never be enforced if the wicked were permitted a monopoly of physical force. Thus, in defending himself, an individual may use means which lead even to the death of the aggressor.

Analogous to this right of self-defense is the right of the state to defend itself against those who endanger the common good. The relation of citizen to the community is that of part to the whole, of a particular member to the entire body. What holds true of domestic malefactors such as criminals is even more true of the enemy from without. When a nation is unjustly attacked, it is placed in the

^a21 p10.

position of extreme need and must repel force with force. In "War and Guilt", Bishop Fulton Sheen expressed this thought neatly and succinctly:

"Since self-defense is permissible for the individual, it is permissible for the State. If the right arm has the right to protect the body against a blow, so the arms of the State have a right to protect the body politic against attack."^a

In the past, moralists and theologians have recognized this right. St. Augustine (A.D. 354-430), the great coordinator of the Christian doctrine upon peace and war, St. Thomas, St. Robert Bellarmine, Vittoria, Suarez, and many others in discussing war make it evident that there is nothing intrinsically wrong about warfare. Suarez has this to say:

"Our conclusion is that war absolutely speaking is not intrinsically evil, nor is it forbidden to Christians. I hold that defensive war is not only permitted but sometimes even commanded. The reason supporting this is that the right of self defense is natural and necessary, especially if such defense is an official duty."^b

The words "if such is an official duty" as quoted above are of special significance and satisfaction to all military people.

These theologians and moralists, however, did not regard war as a normal institution of international life. While refusing to condemn war absolutely, they recognized the fact that war can be a horrible evil and that every effort must be made to prevent it. While refusing

^a22 p42.

^b22 p42.

to condemn war absolutely, they were careful to lay down precise conditions with which a war must comply in order to remain within the limits of justice. In the "Code of International Ethics" we find these conditions and circumstances for the conduct of a just war. They have been codified over the centuries. They are as follows:

- a. Have been declared by legitimate authority.
- b. Have a just and grave cause, proportioned to the evils it brings about.
- c. Be undertaken only after all means of peaceful solution of the contest have been exhausted without success.
- d. Is carried out with a right intention.
- e. Have serious chances of success.

"It is also necessary that moderation should characterize the conduct of hostilities and should keep the demands of the victor within the limits of justice and charity."^a

It is not within the scope of this thesis to develop in detail each of these conditions. The purpose in stating them here is to show that war may be waged in a just manner when certain rules and agreements are respected. As St. Ambrose (d.397) said: "There are certain rules of war and certain agreements which must be respected even between enemies."^b The point with which we are concerned is the conduct of hostilities. The basic principle is that war in its conduct must be waged in a moral manner. With this all moralists and theologians agree.

^a5 pl17.

^b20 p45.

Section II. International Conventions.

Restrictions on the conduct of war have been recognized not only by moralists and theologians but also by International Conventions. Almost every modern war has been followed by a treaty of some sort in which agreements were made with regard to certain rules of warfare. As Robert J. Jackson, U.S. representative to the International Military Tribunal at Nuremberg, Germany, said: "Even the most warlike of peoples have recognized in the name of humanity some limitations on the savagery of warfare."^a

The War Crimes Trials following World War II which created a new concept in international law indicted the principal Nazi leaders for "war crimes--namely violations of the law and customs of war", as well as for other crimes. In other words, even during hostilities there were rights and agreements which may not be violated by belligerents.

"The definition of these rights in the form of international declarations or conventions has been a long and laborious process. But the principles of respect for the rights derived from the very nature of man may be said, generally speaking, to lie behind it. Thus the poisoning of wells, and the killing of prisoners, have been regarded for many years as forbidden practices. Among the Declarations and Conventions of more recent times which may be mentioned are the Declaration of St. Petersburg (1868) forbidding the use of dum-dum bullets; the Treaty of Washington (1922) forbidding the use of poison gas and chemical and bacteriological warfare; the Geneva Protocol (1925) forbidding gas warfare and bacteriological warfare; the Geneva Convention (1929) on the welfare of the sick and wounded and prisoners of war."^b

^a26 p38.
^b20 p46.

Moreover, difficult as it is in modern warfare for the laws of war to enable distinctions to be made between combatants and non-combatants, these laws try to secure that the civilian population will not normally be open to deliberate attacks.

Again, the Hague Conference of 1907 says definitely: "The right of the belligerents to choose means of inflicting damage upon the enemy is not unlimited."^a Jurists starting from the premise that there are limitations to the way in which war should be waged, and that these limitations involve considerations of humanity, and the further consideration that disasters should not be allowed to spread further than is absolutely necessary, distinguish two types of unlawful warfare; viz. barbarous warfare, e.g. the use of poison, poison gas, and bacteria, and treacherous warfare in violation of military honor such as in the breaking of pledges, the deceptive use of the Red Cross, or the enemy's uniform. Thus "total war", in the sense of warfare without any limitations in the means used, is in conflict with the conscience of the civilized world.

There is a further consideration which is relevant to our problem. It concerns the civilian population particularly. In every war the government of one State seeks to impose its will by force on the enemy State. In order to do this, it aims at defeating the enemy's armed forces. But defeat of the enemy's armed forces by itself may not

^a20 p46.

achieve the success required for the imposition of the other State's will. History records many cases of a terrible pressure being brought to bear on the civilian population, through starvation or blockade, in order to compel it to surrender. But the deliberate use of armed forces to kill an unarmed civilian population, not engaged in activities obviously and directly connected with the prosecution of the war, is against the conscience and the common practice of nations. In modern warfare the whole life of the nation is engaged, and the civilian population is inevitably involved in hostilities. But even though the range of attack is now much wider than it was in former times, the force used must not be indiscriminate nor on such a scale as to be overwhelmingly out of proportion to the end to be achieved. Nor must it be so annihilating as practically to rule out the very possibility of survival after war. The truth that all is not fair in war is a truth to which international agreements such as those mentioned above abundantly testify.

There is still more recent testimony in 1945 and subsequent years. The Western Powers and Soviet Russia recognized that there are limits to what is permissible in war. This was shown as clearly as possible after World War II by the trials and sentences of war criminals which followed the setting up of the International Military Tribunal at Nuremberg in Germany.

The Charter governing the Tribunal was signed by the Allies on 8 August 1945. We call attention particularly to the definition in

the Nuremberg Charter of "War Crimes" and "Crimes Against Humanity":

"War Crimes - namely violation of the laws and customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labor, or for any other purpose, of the civilian population of, or in, occupied territory, murder or ill-treatment of prisoners-of-war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity.

"Crimes Against Humanity - namely, murder, extermination, enslavement, deportation and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country when perpetrated."^a

Some of the crimes included under the two headings refer to the treatment of civilian populations in occupied territory, i.e. the inhabitants of countries already conquered; but others refer to "wanton destruction of cities, towns or villages" as well as to "devastation not justified by military necessity" (understood in its traditional sense) and to "extermination...and other inhumane acts committed against any civilian populations before or during the war." It will be noted in the definitions just quoted special emphasis is laid upon actions directed against civilian populations. And in the final summing up prior to the sentence of those guilty, the Tribunal made use of these remarkable words:

^a11 p423.

"The evidence relating to war crimes has been overwhelming in its volume and detail...There can be no doubt that the majority of them arose from the Nazi conception of total war with which the aggressive wars were waged. For in this conception of total war the moral ideas underlying the conventions which seek to make war more humane are no longer regarded as having force or validity. Everything is made subordinate to the overmastering dictates of war."^a

^a20 p47.

CHAPTER 2

OPINIONS OF MAJOR CHRISTIAN DENOMINATIONS

Section I. General.

As we have seen, the basic norms for the legitimate use of violence in repelling unjust aggression have been codified by the moralists of the past. In addition, limitations on the savagery of warfare have been recognized by international conventions. In essence, they demand that after every peaceful means of negotiation and appeasement have been exhausted, the rule of right reason should be observed in the type and amount of violence that can and should be employed in countering aggression with the probability of a favorable outcome. The difficulty today is that the type of weapons now available are of such magnitude and destructive force as to be almost beyond the control of the users. What is more, there is the high possibility that two groups of nations bringing to bear the mass-destruction machinery of total war against each other could jeopardize, if not destroy, the whole of modern civilization.

Today then a new situation has developed. An overwhelming problem has arisen which changes both the nature and the extent of war. This problem, created by nuclear weapons whose terrible destructive power can be unleashed in a matter of hours, has been clearly and concisely described as follows:

"A new technology of unprecedented power and destructiveness has placed all nations of the world in dire peril. The largest 'conventional' bomb of World War II - the famous blockbuster - had an explosive power of 20 tons of TNT. The first atomic bomb had an explosive power equivalent to 20 thousand tons of TNT, a thousandfold increase. Today weapons with an explosive equivalent of 20 million tons (20 megatons) have been tested and there is no theoretical upper limit; it is possible to construct weapons of almost any explosive power. As the weapons have become more powerful, their speed of delivery has grown even faster. Soon missiles will be able to travel intercontinental distances and wipe out whole cities in one blow. A blow on 50 of our most important metropolitan areas would bring under attack 55 percent of our population and 75 percent of our industry. Moreover, if the fireball of a nuclear weapon touches the ground, it sucks up particles of earth and buildings and deposits them downwind as radioactive material. The area of this 'fall-out' would depend on meteorological conditions, but it could cover an area of 10 thousand square miles or the size of the State of New Jersey. A successful attack on 50 of our most important urban centers would produce at least 10-15 million dead and 15-20 million injured from blast and heat and another 25-30 million casualties from 'fall-out' or a total of 60-65 million dead and injured."^a

In view of this new problem created by nuclear weapons which is "a new technology of unprecedented power and destructiveness", we ask the question: Can there be such a thing as a just war in a thermo-nuclear age? In response to this question there are varying shades of opinion among the leaders and spokesmen of the major Christian groups on the morality of modern nuclear warfare. Let us examine in detail these official or non-official expressions of opinion as declared by exponents and leaders of Protestant and Catholic denominations.

^a24 p8, 9.

Section II. World Council of Churches.

In 1955 the Central Committee of the World Council of Churches appointed a Commission for the study of the problem of "prevention of war in an atomic age."^a Opinions arrived at by this Committee on the morality of a just war in a thermonuclear age were offered for reflection and discussion and published in August 1958. No point expressed in this document is to be understood as an official view of the World Council of Churches. But it does constitute a contribution to Christian research and inquiry on the vital issue of nuclear war in our time.

Chapter 1 of the report points out what we really have to face. Our problem, it says, is that weapons and fissionable material are available; that the knowledge is there and irreversible; that human conflicts will be with us till the end of history; and that in such conflicts nations whose citizens know how to make atomic weapons can be involved at any time. This is the new element in the atomic age; that from now on human conflicts can always erupt into uncontrollable and indiscriminate atomic destruction. This potential has become a permanent factor in the life of mankind.

The report goes on to say that "from the outset a number of atomic scientists, experts of the military profession and men of political responsibility have been aware of the new dangers. A great deal of anxiety and in several cases the stir of awakened conscience

^a27.

have been transposed by them into hard thinking."^a What has been their main concern? Speaking of the military profession, the report states that it has been their responsibility to provide effective deterrence. "It was clearly their responsibility to prevent aggression through the preparation of retaliatory force so strong that attack would not pay... For the time being peace depends upon effective deterrence and an equilibrium of atomic power; and that we, therefore, are greatly indebted to those who provide for this deterrence and do it with so great a sense of responsibility. It is a good conception of prevention of war, as far as it goes. But a further question arises: How to make responsible use of this tremendous power in and beyond military deterrence? And what if deterrence fails?"^b

The center of the document is this simple question: How shall mankind--a humanity with permanent possibilities of conflict--live with this power? There are key words for the understanding of the meaning of the report. They are the words "discriminate" and "indiscriminate" and the word "discipline". The commission seems to feel that these words "discriminate" and "indiscriminate" indicate that a way has to be found through the problem of sheer quantity which in technological society is running out of control. "In the first World War soldiers were killed; in the second War soldiers and part

^a27 p4.

^b27 p4.

of the population in the cities were killed. In the next World War whole populations could be wiped out."^a

According to the report, the functions of the word "discipline" are explained thusly: "Since there is no superior authority in international affairs to regulate the relations of sovereign states and since there is no limit to the harm these states can do to one another, we must speak of the use of power in political life in terms of mind and will."^b The report tries to deal with our present-day dilemmas by approaching them in a specific way under the aspect of power of human mind and will.

The document does not answer the question as to when the use of atomic power would be justified, if at all. Neither does it elaborate as to what would be the conception of a "just war" in an atomic age. Speaking of war to maintain justice and order, it does recognize that power must be used. "It is recognized that power must be used only in the service of justice and order, that even war can be necessary for the preservation of order and justice."^c Speaking of "coercive power" exercised by governments as an inescapable factor in the life of men, the report declares:

a₂₇ p5.

b₂₇ p5.

c₂₇ p5.

"This has led Christians in the past to formulate guiding rules regarding their participation in war. Not every means of warfare was deemed legitimate. A means and scale of warfare which were destructive of the end in view, e.g., the maintenance of justice and order, could not be justified. This insight has particular relevance to the present-day situation and in our view has fresh importance and validity. We call attention to the fact that the use of nuclear weapons can certainly more than ever before cause such a scale of devastation and consequences so incalculable that they cannot be balanced by any conceivable advantage to mankind."^a

In explanation of the "discipline" to be used in the employment of kiloton and megaton weapons, the report states:

"There must be that discipline which is determined to use the possession of the megaton weapons and the upper ranges of the kiloton weapons as deterrents only, and only in a discriminate way. It is extremely important that there be a disciplined use of the deterrent value of existing weapons. They must be used for the discriminate objective which we have mentioned (justice and order) and for no others. This deterrent power, for instance, should not be used for the defense of ideological systems. It must not be used to secure the consent of other nations to the policy of a nation holding the deterrent power. So long as megaton weapons are in the possession of different nations and until there is a disarmament, we are all agreed in the declaration of the principle that at least it is not permissible to use them before the other party has used them, or to take any advantage from their possession, except to deter other parties from using them. Some of us would go further and insist that, in the case of so terrible a weapon, every power ought to make it clear that it will not use the weapon even for the purposes of retaliation. In any case, limitation and discrimination must be brought strongly into play in regard to the use of the deterrent qualities of nuclear weapons."^b

^a27 p22.

^b27 p35.

Section III. Pope Pius XII.

In pursuance of a possible answer to the question: Can there be such a thing as a "just war" in a thermonuclear age, let us turn to the writings and teachings of Pope Pius XII to shed further light on the problem. Perhaps two general propositions will help us to see in clearer perspective the morality of nuclear warfare.

1. All wars of aggression, whether just or unjust, fall under the ban of moral proscription.

The term "war of aggression" is here used because the Pope used it. It seems to stand simply as the opposite of self-defense. The Pope denies that recourse to force is "a legitimate solution for international controversies and a means for the realization of national aspirations."^a He seems, therefore, to be denying to individual states, in this present historical moment, even the classic recourse to force for the vindication of legal rights and legitimate interests. The use of force is not the moral means for the redress of violated legal rights. The justice of the case is irrelevant; there is simply no longer a right of self-redress; no individual state may presume to take even the cause of justice into its own hands. Whatever the grievance of the state may be, and however objectionable it may find the status quo, warfare is an immoral means for settling the grievance and for altering the existent conditions.

^a19 p324.

If this is the correct interpretation of the Pope's thought, an important modification of the traditional doctrine of a war of aggression has been made. According to the traditional doctrine, a war of aggression, as opposed to a defensive war, was conceived and justified as a means taken by the state to vindicate its rights and to maintain true peace. Besides the element of self defense, there is the element of the virtue of vindictive justice which gives liceity to capital punishment or to any sort of punishment inflicted upon criminals.

In brief, a war of aggression was considered an act of vindictive justice or the punishment of malefactors. It is implicitly contained and briefly given in a line of St. Thomas in which he states the just causes for war: "Just war consists in the fact that those against whom the war is waged deserve it on account of some fault."^a The reason for Pope Pius making the modification in the concept of a war of aggression may derive from two lines of thought. First, the immeasurably increased violence of war today disqualifies it as an apt and proportionate means for the resolution of international conflicts and even for the redress of just grievances. Second, to continue to admit the right of war, as an attribute of national sovereignty, would seriously block the progress of international community to that mode of juridical organization such as the United Nations, which the Pope regards as the single means of outlawry of all war, even defensive war.

^a2, Vol 2, p1360.

The Pope clearly stigmatizes a war of aggression as "a sin, an offense and outrage against the majesty of God."^a The Pope expressly says that "modern total war, and ABC warfare in particular", when it is not stringently in self-defense, "constitutes a crime worthy of the most severe national and international sanctions."^b No doubt the same recommendations would apply to less violent forms of wars of aggression.

2. A defensive war against unjust aggression is morally admissible both in principle and in fact.

This principle has always formed part of the traditional doctrine as we have already seen. By its assertion the Christian tradition finds a sure way between the false extremes of pacificism and bellicism. Moreover, the assertion itself, far from being a contradiction of the basic will to peace, is the strongest possible affirmation of this will. There is no peace without justice, law, and order. But "law and order have need at times of the powerful arms of force."^c And the precept of peace itself requires that peace be defended against violation. "The precept of peace is of divine right. Its purpose is to protect the goods of humanity, inasmuch as they are the goods of the Creator. Among these goods there are some of such importance for the human community that their defense against aggression is without doubt fully justified."^d

^a16 p4.

^b16 p4.

^c16 p5.

^d16 p5.

There is nothing new about these assertions. What is important is their reiteration by Pius XII in today's highly concrete historical context of possible international conflict. The reiteration of the right of defensive war derives directly from an understanding of the conflict and from a realization that nonviolent means of solution may fail. The Christian moralist is obliged to confront the dreadful alternative: "the absolute necessity of self-defense against a very grave injustice that touches the community, that cannot be impeded by other means, that nevertheless must be impeded on pain of giving free field in international relations to brutal force and to lack of conscience."^a

The phrase "brutal force and...lack of conscience" marks a new note in papal utterances. Very likely the Pope of Peace brought himself with reluctance and under unrelenting pressure of events, to focus on the instant possibility of war, as generated by the ethos of the Communist system. The focus becomes even sharper after the events of Hungary, and in the light of the Soviet threat to use atomic weapons in Europe if the French and English adventure in Suez were not terminated. These words from the Christmas Message of 1956 need to be quoted:

^a16 p5.

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"The actual situation, which has not equivalent in the past, ought nevertheless to be clear to everyone. There is no further room for doubt about the purposes and methods that lie behind tanks when they crash resoundingly across frontiers to distribute death and to force civilized people to a form of life they distinctly abhor. When all possible stages of negotiation and mediation are bypassed, and when the threat is made to use atomic arms to obtain concrete demands, whether these are justified or not, it becomes clear that, in present circumstances, there may come into existence in a nation a situation in which all hope of averting war becomes in vain. In this situation a war of efficacious self-defense against unjust attacks, which is undertaken with hope of success, cannot be considered illicit."^a

There is no indication that this reaffirmation of the traditional principle of defensive warfare, to which the Pope was drawn by the brutal facts of life, extends only to conventional warfare. On the contrary, the Pope extends it explicitly, not only to atomic warfare but even to ABC warfare.

There are, however, conditions with which we are familiar. The basic condition has been stated thusly: "One cannot, even in principle raise the question of the liceity of ABC warfare except in the case in which it must be judged indispensable for self-defense in the conditions indicated."^b The conditions are simply those found in the traditional doctrine we have already treated. But each of them was sharpened to a fresh stringency by Pius XII in the light of the horrors of destruction and death now possible in war.

^a19 p327.

^b16 p6.

The principle of limitation in the use of force is affirmed by Pius XII. It may be a matter of some surprise that he gives so little emphasis and development to it, at least in comparison to the preponderant place that the problem seems to have assumed in the minds of theorists of all religious denominations. There is one formal text. After asserting the legitimacy of "modern total warfare", that is ABC warfare, under the set of stringent conditions stated, he adds:

"Even then every effort must be made and every means taken to avoid it, and with the aid of international covenants, or to set limits to its use precise enough so that its effects will be confined to the strict exigencies of defense. In any case, when the employment of the means entails such an extension of the evil that it entirely escapes from the control of men, its use ought to be rejected as immoral. Here it is no longer a question of defense against injustice and of the necessary safeguard of legitimate possessions, but of the annihilation, pure and simple, of all human life within the radius of action. This is not permitted on any account."^a

This is a very general statement. And it takes the issue at its extreme where it hardly needs statement, since the moral decision cannot fail to be obvious. It is apparent that no one in his right mind would undertake to defend on any grounds, including military grounds, the annihilation of all human life within the radius of action of a total ABC war. What is queried is the usefulness of the doctrine and its relevance to the concrete actualities of our historical moment.

^a16 p7.

The tendency to query the uses of this doctrine on war initially arises, one may argue from the fact that it has for so long not been used. That is, it has not been made the basis for a sound critique of public policies and as a means for the formation of right public opinion. The classic example, of course, was the policy of "unconditional surrender" during World War II. This policy clearly violated the requirement of the "right intention" that has always been a principle of the traditional doctrine of war. Yet, no sustained criticism was made of the policy. Nor was any substantial effort made to clarify by moral judgment the thickening mood of savage violence that made possible the atrocities of Hiroshima and Nagasaki. It appears to be a true statement that the traditional doctrine was disregarded during World War II. This is no argument against the traditional doctrine. The Ten Commandments do not lose their relevance by reason of the fact that they are violated. But there is place for an indictment of all those who failed to make the traditional doctrine relevant.

CHAPTER 3

LIMITATIONS ON THE PRINCIPLE OF SELF-DEFENSE

Section I. General.

As we have seen in Chapter 2, according to Plus XII a war of efficacious self-defense against unjust attacks which is undertaken with hope of success, cannot be considered illicit even when it is extended to atomic warfare. The principle of legitimate self-defense, however, has stringent restrictions and limitations. From the moralists' point of view, the dominant consideration in regard to nuclear weapons is that they are too wholesale. That is to say they are far too unselective and indiscriminate in their violence to be justifiable as normal weapons of self-defense. The following verse has captured this thought and merits consideration:

"We used to say when bombs burst in our midst,
You'll only get it if your name is on,
And when by those old-fashioned weapons blitzed,
We still had time to run.
But bombs of new-fangled kind
Fly faster and more lavishly are signed,
As bigger ones, and better, are designed,
Now each atomic warhead, science claims
Will be inscribed with fifty thousand names."^a

^a20 pl.

Regarding this kind of unrestricted warfare a modern moralist has this to say:

"In no circumstances, not even to save the Western world from being swamped by atheistic Communism, will it ever be lawful to explode indiscriminate nuclear weapons of the major type on predominately civilian centers of populations, because direct killing of the innocent can never be justified except by the direct intervention of God Himself."^a

In other words, the principle of legitimate self-defense has limitations which are especially relevant to the question of nuclear warfare.

Section II. First Principle of Limitation.

In considering the morality of nuclear warfare in self-defense, the first principle is that the end does not justify the means in the sense that you may never do anything that is morally evil in order that good may come from it. The whole principle of self-defense is based on the supposition that your opponent is attacking you unjustly.

"It follows therefore that you may never directly seek to kill or maim the innocent, i.e., those who have no part in the unjust aggression which it is your object to repel. There are occasions in which you may be justified in attacking the guilty in a way which you foresee may indirectly affect the innocent, but you may never make the innocent the direct object of your attack, even as a means of deterring the guilty."^b

For example, in World War II our airmen were justified in bombing troop trains and factories, even when they foresaw that innocent people in the vicinity might be directly involved. Troop trains and factories

^a15 p249.

^b15 p246.

were legitimate military targets. But our airmen would not have been justified in directly attacking schools and hospitals, even if they were sure that it would be a most effective way of breaking the enemy's will to fight. That would have meant doing evil that good might come from it; and once you allow such a principle, the whole fabric of the moral order inevitably crumbles. The first important limitation of nuclear warfare in self-defense is, therefore, that one may not directly attack the innocent, even as a means of reaching the guilty. Reciprocal violence may be immediately directed only against the violent.

Section III. Second Principle of Limitation.

But there is a second important limitation, namely, that even against a violent and unjust aggressor violence must be used with restraint.

"Physical violence is not morally wrong in itself, otherwise dentists and the like would have to go out of business. But it is always at least a physical evil, and therefore its use must be moderated by reason. To use it unnecessarily, or in greater measure than is reasonably necessary to the attainment of a legitimate end, is morally wrong. It offends against the primary law of morality, which is the law of reason. So, for example, a parent may justifiably spank his child for stealing jam, but he is not allowed to cut off the child's hands, even though that would be a much more effective way of preventing future stealing. Similarly, our airmen were justified in destroying the enemy's factories with as much violence as was reasonably necessary to the attainment of their legitimate end. But to have then proceeded, of set purpose and not merely as an indirect consequence of the destruction of the factories, to demolish the houses in which the workers lived and machinegun them as they ran to safety would have been a disproportionate use of violence and morally wrong."^a

^a15 p247.

These two limitations to the principle of self-defense are clearly relevant to the problem of nuclear warfare. There can be new moral problems in this fast changing world, but no new moral principles; there is no need, therefore, to look for new yardsticks.

The same principles hold good today as in the days of the bow and arrow, and no argument of sentiment or expediency can unseat them. In itself, the nuclear bomb is no more immoral than the cartridge; it is simply a lethal weapon, and, given a legitimate target to which it is reasonably proportioned, it can, like the cartridge, be lawfully used in self-defense. The difference between the two weapons is that, whereas there are plenty of legitimate targets for the cartridge, there are very few in this crowded world to which so enormously a destructive weapon as the kiloton bomb can ever be counted proportionate, and fewer, if any, to which the megaton bomb can be counted proportionate. And, as we have seen, proportionate use of violence is of the very essence of the principle of legitimate self-defense in war.

But though the very magnitude of the weapon reduces the number of legitimate targets to which the nuclear bomb can be reasonably said to be proportionate, it would be difficult to prove apodictively that there can never be such a target. Indeed, we are assured that tactical warheads have already been devised which can be used on limited targets. "Davy Crockett" type of weapon is an example. If it can be lawful to obliterate an enemy fleet or fortress by a thousand shells, surely it can be lawful to achieve this same effect by a single nuclear explosive;

the only difference is that the former method gives the enemy time to surrender before the full weight of repressive violence has been brought to bear on them. Indeed, one can conceive a case in which it might be legitimately used against a town. But, unless we are to abandon moral principles altogether and be guided by military expedience, it would have to be a very special kind of town, one which not merely contained legitimate military objectives, but was itself, in its entirety, a military objective, one to which moreover, a nuclear explosive was the only adequate answer.

Such towns, however, are exceptional. Indeed, the only example we can suggest is one specially built for the manufacture of offensive weapons, as that built at Oak Ridge, Tennessee, solely for the manufacture of the first atomic bombs.

Our practical concern here is with civilian centers, such as Hiroshima and Nagasaki, and here, it would seem, our verdict must be different.

"In both these towns the use of the atomic bomb would seem to have involved the violation of the two basic principles on which we have insisted above; first, the direct slaughter of tens of thousands of innocent people (children, old folk, invalids, etc.) who had no part in the Japanese aggression; and secondly, the use against the rest of the civilian population of a degree of violence which bore no proportion to their share in the national aggression. No matter how ardent the civilian population of that town were in supporting their national war effort, it is surely no exaggeration to call such a deluge of death and destruction disproportionate."^a

^a15 p240.

The airmen may lawfully aim a blockbuster at a factory block, because the factory is a legitimate objective and the weapon is proportioned to it, and therefore any effect it may have outside the target area can be reasonably said to be accidental and unintended. But the kiloton bomb, and even more so the megaton bomb, is not just a blockbuster. It is a town-buster; and though Hiroshima may contain many legitimate targets of attack, the town, as a town, is not a legitimate target.

When one releases a nuclear bomb over a predominately civilian town one cannot reasonably claim that he intends only the destruction of its war potential and regret the slaughter of the tens of thousands of civilians in it. The direct and immediate effect of a town-buster is to destroy the town, with everything in it, factories and hospitals, workers and wives, infants and infantry, all with the same impartial directness.

CHAPTER 4
CHRISTIAN CONCEPT RUPTURED
BY TOTAL WAR DOCTRINE

Section I. General.

This final chapter is based on the premise that there are moral absolutes. The writer realizes that there are those who say that morals are merely conventions, changeable customs which vary with time and place. To them ethics is not a true science, but merely the historic record of fashions in human conduct among various peoples in different times. Such persons may admit that there are "mores" but emphatically deny that there are universal, immutable laws of morality everywhere valid. To such people, the concept in this chapter, that the challenge of our times may be reduced to a morality versus expediency choice, may not be clear-cut or definitive enough. To the writer, who believes in moral absolutes, ethics is a true science based upon laws as valid as the laws of physics, chemistry, and astronomy. In such a framework or scheme of things, justice, honesty, and morality generally considered have absolute values or sanctions. To the writer, therefore, the following concepts appear to be valid and worthy of consideration.*

*It is not within the purview of this thesis to develop and explain the writer's conviction that there are moral absolutes. Many books are written on the subject. If anyone is interested in pursuing this subject, the book Man as Man, reference number 10 in the bibliography, is highly recommended.

Section II. Morality versus Expediency.

Perhaps a story will help take us straight to the heart of the problem of the morality of nuclear warfare. On the 8th of January 1912, Captain Scott and four companions reached the South Pole after a march of sixty-nine days. On the return journey Petty Officer Evans fell ill and endangered the safety of the party. To resolve the problem Captain Scott had two courses of action to follow. The first was to carry the sick man along and by so doing slow down the march and risk perdition for all. The second was to let Evans die along the way and try to save the rest of the party. Captain Scott choose the first course and dragged Evans along until he died. The delay caused by dragging Evans along proved fatal. Blizzards overtook them. Their rations were exhausted. Six months later the frozen bodies of the four men were found only ten miles, or one day's march, from the next depot which they had been unable to reach. If they had sacrificed Evans, they probably would have been saved.^a

This dilemma which Scott faced under eighty degrees of latitude symbolizes the conflict in man's nature between expediency and morality. This conflict is at the root of the problem of the morality of nuclear warfare. It contains in a nutshell the challenge of our time. It is the historic juncture at which we now stand. Two paths are open to us. In his Encyclical of November 2, 1956, Pope Pius XII called one the

^a13 p11.

"road of justice", and the other "the steep slope of violence."

Mindful of this let us follow each of the two roads confronting Scott into their logical extensions. First, there is the road of expediency where the traveler is motivated by the principle that "the end justifies the means." This road leads along "the steep slope of violence." In this situation Captain Scott starts by throwing Evans to the wolves, as, it is thought, the sacrifice of one comrade is justified by saving four. As the road extends into the military and political field, the dilemma of Captain Scott becomes the dilemma of our political and military leaders. In the name of expediency, the first atomic bombs were let loose on the crowded cities of Hiroshima and Nagasaki. Thus was implicitly accepted the principle of the total and indiscriminate warfare which hitherto was condemned. "Thus the logic of expediency leads to the atomic disintegration of morality, a kind of radio-active decay of all values."^a

The second alternative before Captain Scott is the road that leads into the opposite direction already referred to as the "road of justice." Its guiding principles are: respect for the dignity of the individual, the rejection of violence, and the belief that you may never do evil in order that good may come from it. This is the course of action which Captain Scott chose. We have seen what happened to his expedition because he did not sacrifice Evans.

^a13 p3.

The fact that both roads may lead to some kind of disaster creates a dilemma which is inseparable from man's life. It is not an invention of the philosophers or moralists, but a conflict which we face at each step in our daily lives. Each of us has sacrificed an Evans at one point or another in the past. And it is a fallacy to think that the conflict can always be resolved by the "reasonable compromise."

Compromise may be a useful thing in minor dilemmas of daily routine but each time we face a major dilemma, such an expediency lets us down. The more responsible the position one holds the sharper one feels the horns of the dilemma. When the decision involves the fate or life of a great number of people, the conflict grows proportionately. The new technology of unprecedented power and destructiveness of our age has enormously increased the range and consequence of man's actions, and has thus amplified his inherent dilemma to gigantic proportions.

Let us return to the starting point of the dilemma between expedience and morality. In the course of the discussion, the symbolic sledge of Scott's small party has grown into the express train of mankind's progress in thermonuclear warfare. "On this train, expediency is the engine and morality the brake. The action of the two is always antagonistic....Our ethical brakes are getting more and more neglected until totalitarian dynamism makes the engine run amok. We must apply the brake or we shall crash. Ethics must be freed from its utilitarian chains....Words or deeds must be judged on their own merits and not as mere make-shifts to serve distant and nebulous and immoral aims. These

worm-eaten ladders lead to no paradise."^a

Section III. Christian Tradition Ruptured.

The Christian tradition of civilized warfare has been ruptured by the doctrine of total warfare fought in pursuit of total victory. Man can choose to let the mad logic of total war dictate his decisions with regard to military policies and weapons programs, or man can choose to shake off the hold which this mad logic has fastened upon his mind. He can return to the "road of justice" - the civilized tradition of discriminate and disciplined warfare. He can recognize that the enterprise of war is inherently subject to certain limitations in its purposes and methods. He can recognize that these limitations find their original source and final authority in the moral order. He can recognize that this order is sanctioned by God and that its precepts are, therefore, absolute in their command over all human action, including the action of war.

Only along this path of moral choice will men find their way to security. Only the principle of justice can draw the line between civilized warfare and sheer massacre, between legitimate defense of the basic order of human life, and the barbaric destruction of all order in human life. Unless this line is drawn there can be no solid foundation for human security.

^a13 p4.

Man can do away with the idea and institution of total war, if only he decides firmly enough that he wants to do so, and that in the nuclear age he must do so. It will not be easy, however, in view of the fact that the two giant colossi of our time are poles apart in their concept of basic morality and their interpretation of the virtue of justice. But man has been powerfully helped to do away with the idea of total war by the fact that "a total nuclear war fought to a total victory, could only mean total woe."^a It would mean woe to the vanquished and woe to the victor. This argument must give pause even to the most cynical exponents of violence.

For us the rejection of total war must be more solidly based. Our appeal must be to the high principles of justice that form the very foundation of the Western tradition of civilized warfare. Reason has never refuted these high principles. The will of man has simply abandoned them. The civilized tradition did not succumb to argument but only to the fact of man's passions, as they are aroused to violence of war and proceed to arm themselves with the products of technology.

"Our national and international security has been undermined today largely by the rupture of the tradition of civilized warfare."^b We shall have no security as long as the rupture endures. We shall have no security as long as we are prisoners of the moral fallacy of

^a₁₇ p259.
^b₁₇ p261.

totalization - that is, as long as we consent to the immoral notion of total war, as long as we dream of the impossible notion of total victory, and as long as we cherish the empty delusion that national security is totally reposed in massive military might. These fallacies furnish the impulse toward "the steep slope of violence."

The tragedy is that the equation between morality and security has been forgotten.

"This equation is inherent in the Western tradition. The first security of its own moral life. The nation is secure in proportion to its fidelity to the moral norms that form the spiritual substance of the national life. Concretely, if the United States is obliged to have recourse to armed force in its own defense, it must understand that it is committed to a moral use of force, on penalty of self-destruction - the destruction of its moral self."^a

The tragedy is that we have come to believe that security means only one thing - massive power. And we have forgotten that massive power when used in violation of the canons of justice, will undermine the basic moral security of the whole edifice of civilization which they should undertake to protect.

^a17 p262.

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CONCLUSIONS

The following major conclusions may be deduced from the arguments and considerations presented in the previous chapters. These conclusions are personal opinions, drawn from the present study, and pointed toward the questions raised initially in the introduction.

1. Total warfare, or warfare without any limitations in the means used, is utterly opposed to the moral law. It represents a regression toward barbarism.

2. A limited nuclear war in self-defense with controlled weapons restricted to military targets can be justified on moral grounds according to the Christian concept of civilized warfare.

3. Given that a limited nuclear war in self-defense can be morally defended, the state is morally justified to take adequate measures to defend its vital interest. And since, in theory, at least, there can be legitimate targets even for the major nuclear weapons (e.g., a large hostile force) it is morally entitled to construct weapons of deterrence and to test their efficiency, unless the genetic risks outweigh their utility.

4. Nuclear weapons are not intrinsically immoral. The tactical use, therefore, of nuclear weapons (against field troops, communications, supply dumps, fortifications, fleets) is morally permissible.

5. A deliberate attack on noncombatants is never licit. The employment of atomic weapons with the direct purpose of killing or maiming the civilian population is directly opposed to the moral law.

6. When theologians and moralists disagree among themselves on the application of moral principles to atomic warfare, military leaders and statesmen are thrown back on the light of their own consciences; they are free to act upon opinions which are based on solidly probable grounds. This is especially true when these opinions are publicly defended by reputable theologians.

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